

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA,

v.

JAMES DARIAN PIERRE

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No. 4:17-CR-414

MOTION FOR CONTINUANCE

The defendant, JAMES DARIAN PIERRE, by counsel, makes this first Motion for Continuance and would show the Court the following:

I.

JAMES DARIAN PIERRE is charged by Indictment with Conspiracy to Distribute and Dispense Controlled Substances in violation of 21 U.S.C. § 846. The case is scheduled for a trial on January 18, 2022, at 9:00 A.M.

II.

On December 24, 2021, defense counsel received discovery from the Government, in the form of 348 previously unsubmitted phone conversations between the Government's confidential source and several witnesses and others.

On January 3, 2022, defense counsel received additional discovery from the Government in the form of previous testimony as part of Jenks material disclosure.

Defense counsel is awaiting discovery from the Government in the form of

contents downloaded from two computers hard drives seized during the execution of the search warrant in the case on July 26, 2016. Defense counsel has spoken with AUSA John-Alex Romano who stated the evidence from these hard drives will be ready for viewing by the Defense on January 10, 2022.

This Motion is not made for delay, but in order to exercise the right to effective assistance of counsel as guaranteed by the 6th Amendment to the United States Constitution.

III.

The circumstances present in this case reflect a continuance should be granted.

WHEREFORE, for the reasons set forth above, Defendant respectfully requests the Court to continue this case and reset the trial for a later date.

Respectfully submitted,

/s/Cornel A. Williams

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Attorney for Defendant

CERTIFICATE OF SERVICE

On this 7th day of January 2022, I hereby certify that a true and correct copy of the foregoing Motion for Continuance has been served on all concerned parties in this matter by fax transmittal, electronic mail, hand delivery, or certified mail, return receipt requested.

/s/ Cornel A. Williams

Attorney for Defendant

CERTIFICATE OF CONFERENCE

On January 7, 2022, defense counsel spoke with AUSA John-Alex Romano who stated he is opposed to the granting of this motion. On January 6, 2022, defense counsel spoke with Andres Sanchez, attorney for the co-defendant in this case, who does not oppose the granting of this motion.

/s/ Cornel A. Williams

Attorney for Defendant